

ment and appropriation of taxes and fees, and the time, amount, method, and manner thereof; providing territories where beer may or may not be sold, for elections to determine the same, and the method and manner thereof; providing generally for the issuance and revocations of licenses; prescribing powers, rights, privileges, and duties of certain officers, municipalities, and political subdivisions; prescribing offenses, punishment, and penalties; providing limitations and exceptions of Title 80 of the Revised Civil Statutes of Texas, of 1925, Title 2, Chapter 7, of the Penal Code; providing the effective dates of certain provisions of this Act; making appropriations, and regulating and relating generally to the subject matter and persons handling the same; and declaring an emergency."

Preamble

Whereas, By virtue of House Joint Resolution No. 43 of the Forty-third Legislature, there is to be submitted to the qualified voters of Texas an amendment to the Constitution of Texas for the purpose of determining whether or not the sale of vinous and malt liquors containing not more than three and two-tenths per cent (3.2%) of alcohol by weight, shall be permitted; and

Whereas, In the event of the adoption of said proposed amendment and the sale of vinous and malt liquors containing not more than three and two-tenths per cent (3.2%) alcohol by weight is authorized, it is essential that the Legislature of the State of Texas enact a law whereby the State may obtain revenue arising out of the sale thereof and revenue from the granting of licenses authorizing persons to engage in the business of manufacturing, distributing and retailing the same; and

Whereas, In the event of the adoption of said proposed amendment, it is essential that the Legislature enact a law whereby the manufacture, distribution and retailing thereof may be regulated; and

Whereas, In the absence of laws providing for the payment of taxes and license fees and the regulation of the manufacture, distribution and sale thereof, the State would not be empowered to assess or collect any taxes or regulate the manufacture, distribution and sale thereof; and

Whereas, The proposed constitutional amendment will be acted upon by the people of Texas at a time when the Legislature of the State of Texas is not in session and in order to avoid the tremendous expense incident to the convening of a Special Session of the Legislature and to avoid the necessity of the Governor reconvening a Special Session of the Legislature, in the event of the adoption of said proposed amendment, and to make sure that the proper Statutes will be in force immediately upon the adoption of said proposed amendment to the end that the State will be enabled to collect license fees and taxes and to properly regulate the manufacture, distribution and sale of such beverages, it is declared to be the intent of the Legislature that the hereinafter bill be in full force and effect upon the adoption of said proposed amendment and effective only in such event,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

FIFTY-NINTH DAY

(Wednesday, May 3, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Chastain.
Adamson.	Clayton.
Aikin.	Colson.
Alexander.	Coombes.
Alsup.	Cowley.
Anderson	Crossley.
of Bexar.	Daniel.
Anderson	Davidson.
of Johnson.	Dean.
Baker.	Devall.
Barrett.	Dunlap.
Barron.	Duvall.
Beck.	Dwyer.
Bedford.	Engelhard.
Bourne.	Fain.
Bradley.	Few.
Burns.	Fisher.
Butler.	Ford.
Calvert.	Fuchs.
Camp.	Glass.
Canon.	Golson.
Cathey.	Good.
Caven.	Goodman.
Celaya.	Graves.

Greathouse.	Moore.
Griffith.	Morrison.
Haag.	Morse.
Hankamer.	Munson.
Harman.	Nicholson.
Harris.	Palmer.
Harrison.	Parkhouse.
Hartzog.	Patterson.
Head.	Pavlica.
Hester.	Pope.
Hicks.	Puryear.
Hill of Brazoria.	Ramsey.
Hill of Webb.	Ratliff.
Hodges.	Ray.
Holekamp.	Reader.
Holland.	Reed of Bowie.
Holloway.	Reed of Dallas.
Hoskins.	Renfro.
Huddleston.	Riddle.
Hughes.	Roberts.
Hunt.	Rogers of Hunt.
Hyder.	Rogers
Jackson.	of Ochiltree.
James.	Rollins.
Jefferson.	Ross.
Johnson	Russell.
of Anderson.	Savage.
Jones of Atascosa.	Scarborough.
Jones of Runnels.	Scott.
Jones of Shelby.	Shannon.
Kayton.	Shults.
Kyle of Hays.	Smith.
Kyle of Palo Pinto.	Stanfield.
Laird.	Steward.
Latham.	Stinson.
Lemens.	Stovall.
Leonard.	Sullivant.
Lindsey.	Tarwater.
Long.	Tennyson.
Lotief.	Thomas.
Magee.	Tillery.
Mackay.	Townsend.
Mathis.	Turlington.
McClain.	Van Zandt.
McCullough.	Vaughan.
McDougald.	Wagstaff.
McGregor.	Walker.
McKee.	Weinert.
Merritt.	Winningham.
Metcalfe.	Wood.
Mitcham.	Young.
Moffett.	

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Wells for today, on motion of Mr. Head.

Mr. Hyder for today, on motion of Mr. Roberts.

The following Member was granted leave of absence on account of illness:

Mr. Dunagan for today, on motion of Mr. Coombes.

HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Ramsey:

H. B. No. 920, A bill to be entitled "An Act to prohibit the use of a steel trap for taking fur-bearing animals or the setting of any steel trap in San Augustine and Sabine Counties, with certain exceptions; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

Mr. McClain moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—103

Adamson.	Davidson.
Alexander.	Dean.
Alsup.	Dunlap.
Anderson	Dwyer.
of Bexar.	Engelhard.
Baker.	Fain.
Barrett.	Fisher.
Barron.	Glass.
Bedford.	Golson.
Bourne.	Graves.
Bradley.	Griffith.
Burns.	Hankamer.
Butler.	Hartzog.
Calvert.	Head.
Camp.	Hester.
Canon.	Hicks.
Cathey.	Hill of Brazoria.
Caven.	Hodges.
Celaya.	Holekamp.
Clayton.	Holland.
Colson.	Hoskins.
Coombes.	Hughes.
Cowley.	Hunt.
Crossley.	Jackson.
Daniel.	James.

Jefferson.	Ratliff.
Johnson	Ray.
of Anderson.	Reader.
Jones of Atascosa.	Reed of Bowie.
Jones of Runnels.	Reed of Dallas.
Jones of Shelby.	Renfro.
Kayton.	Roberts.
Kyle of Hays.	Rogers
Kyle of Palo Pinto.	of Ochiltree.
Laird.	Rollins.
Lindsey.	Ross.
Magee.	Savage.
Mathis.	Shannon.
McClain.	Shults.
McCullough.	Smith.
McDougald.	Steward.
McKee.	Stinson.
Merritt.	Tarwater.
Metcalfe.	Tennyson.
Mitcham.	Thomas.
Morrison.	Tillery.
Morse.	Turlington.
Munson.	Vaughan.
Nicholson.	Wagstaff.
Parkhouse.	Walker.
Pavlica.	Weinert.
Pope.	Winningham.
Puryear.	Wood.

Absent

Aikin.	Lemens.
Anderson	Leonard.
of Johnson.	Long.
Beck.	Lotief.
Chastain.	Mackay.
Devall.	McGregor.
Duvall.	Moffett.
Few.	Moore.
Ford.	Palmer.
Fuchs.	Patterson.
Good.	Ramsey.
Goodman.	Riddle.
Greathouse.	Rogers of Hunt.
Haag.	Russell.
Harman.	Scarborough.
Harris.	Scott.
Harrison.	Stanfield.
Hill of Webb.	Stovall.
Holloway.	Sullivant.
Huddleston.	Townsend.
Hyder.	Van Zandt.
Latham.	Young.

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. McClain:

H. B. No. 921, A bill to be entitled "An Act declaring that where any land was titled prior to the adoption of the common law, and there has been a judicial finding that the original grantee abandoned said land prior to the adoption of the common law, it shall be conclusively presumed that those now claiming said land under said original grantee or his heirs by conveyance or judgment is vested with all title which was originally vested in said grantee."

Referred to Committee on Judiciary.

BILL LAID ON THE TABLE SUBJECT TO CALL

Mr. Burns moved that House Bill No. 83 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—73

Adamson.	Johnson
Aikin.	of Anderson.
Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kyle of Palo Pinto.
of Johnson.	Laird.
Baker.	Lindsey.
Barrett.	McClain.
Barron.	McCullough.
Bourne.	Merritt.
Burns.	Metcalfe.
Calvert.	Mitcham.
Camp.	Morrison.
Canon.	Munson.
Cathey.	Pope.
Chastain.	Puryear.
Cowley.	Ratliff.
Crossley.	Ray.
Daniel.	Reed of Bowie.
Dean.	Reed of Dallas.
Devall.	Riddle.
Fain.	Roberts.
Fisher.	Ross.
Glass.	Savage.
Golson.	Scarborough.
Goodman.	Scott.
Graves.	Shannon.
Griffith.	Shults.
Harman.	Steward.
Head.	Stovall.
Hester.	Tarwater.
Hill of Brazoria.	Tillery.
Hodges.	Turlington.
Hoskins.	Van Zandt.
Hughes.	Vaughan.
Hunt.	Walker.
James.	Weinert.
	Wood.

Nays—27

Anderson	Magee.
of Bexar.	McDougald.
Bedford.	Moore.
Bradley.	Morse.
Celaya.	Nicholson.
Clayton.	Parkhouse.
Colson.	Pavlica.
Coombes.	Reader.
Dwyer.	Renfro.
Greathouse.	Rollins.
Holekamp.	Smith.
Holloway.	Tennyson.
Jackson.	Thomas.
Jefferson.	Winningham.

Present—Not Voting

Engelhard.	Moffett.
------------	----------

Absent

Beck.	Kyle of Hays.
Butler.	Latham.
Caven.	Lemens.
Davidson.	Leonard.
Dunlap.	Long.
Duvall.	Lotief.
Few.	Mackay.
Ford.	Mathis.
Fuchs.	McGregor.
Good.	McKee.
Haag.	Palmer.
Hankamer.	Patterson.
Harris.	Ramsey.
Harrison.	Rogers of Hunt.
Hartzog.	Rogers of Ochiltree.
Hicks.	Russell.
Hill of Webb.	Stanfield.
Holland.	Stinson.
Huddleston.	Sullivant.
Hyder.	Townsend.
Jones of Atascosa.	Wagstaff.
Kayton.	Young.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

Mr. Aikin moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Aikin, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

MOTION TO LAY HOUSE BILL NO. 368 ON TABLE SUBJECT TO CALL

Mr. Smith moved that House Bill No. 368 be laid on the table subject to call.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—61

Adamson.	Kayton.
Anderson	Kyle of Hays.
of Bexar.	Laird.
Anderson	Lindsey.
of Johnson.	Magee.
Barrett.	McClain.
Beck.	McCullough.
Bourne.	McKee.
Bradley.	Metcalfe.
Clayton.	Mitcham.
Crossley.	Moore.
Daniel.	Morrison.
Davidson.	Morse.
Engelhard.	Pope.
Fain.	Ray.
Few.	Reader.
Fisher.	Reed of Bowie.
Glass.	Roberts.
Golson.	Rogers
Goodman.	of Ochiltree.
Greathouse.	Rollins.
Griffith.	Savage.
Hankamer.	Shannon.
Hartzog.	Smith.
Holloway.	Steward.
Hoskins.	Stovall.
Hughes.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Jefferson.	Turlington.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.

Nays—41

Aikin.	Hodges.
Alexander.	Holekamp.
Alsup.	Hunt.
Baker.	Johnson
Calvert.	of Anderson.
Canon.	Lotief.
Cathey.	Mackay.
Celaya.	Mathis.
Colson.	Merritt.
Coombes.	Nicholson.
Cowley.	Parkhouse.
Devall.	Puryear.
Dunlap.	Ratliff.
Dwyer.	Reed of Dallas.
Ford.	Riddle.
Good.	Scarborough.
Hester.	Shults.
Hicks.	Stinson.
Hill of Brazoria.	Tillery.
Hill of Webb.	Vaughan.

Wagstaff. Walker.

Present—Not Voting

Camp. Moffett.
Dean. Scott.
Graves. Weinert.

Absent

Barron. Lemens.
Bedford. Leonard.
Burns. Long.
Butler. McDougald.
Caven. McGregor.
Chastain. Munson.
Duvall. Palmer.
Fuchs. Patterson.
Haag. Pavlica.
Harman. Ramsey.
Harris. Renfro.
Harrison. Rogers of Hunt.
Head. Ross.
Holland. Russell.
Huddleston. Stanfield.
Hyder. Sullivan.
Jones of Atascosa. Townsend.
Kyle of Palo Pinto. Van Zandt.
Latham. Young.

Absent—Excused

Dunagan. Wells.
Johnson of Dimmit.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read, the following communication:

"We deeply appreciate your beautiful expressions of sympathy, which were of the greatest comfort to us in our sorrow."

M. A. RILEY AND FAMILY.

RELATIVE TO THE INTRODUCTION OF CERTAIN BILLS

Mr. Coombes raised a point of order on further consideration of House Bills Nos. 915, 916, 917, and 918, as introduced by Mr. Savage on yesterday, on the ground that the bills were introduced as local bills, that they are not local bills, and that a four-fifths vote of the House was not obtained for the introduction of the bills.

The Speaker sustained the point of order.

MOTION TO INTRODUCE CERTAIN BILLS

Mr. Savage moved to introduce, at this time, and have placed on first reading, House Bills Nos. 915 and 916.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—78

Aikin.	Hunt.
Alexander.	Jackson.
Alsup.	Jones of Shelby.
Anderson	Laird.
of Bexar.	Latham.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Lotief.
Barron.	Magee.
Bedford.	McClain.
Bradley.	McCullough.
Calvert.	McGregor.
Camp.	McKee.
Canon.	Mitcham.
Cathey.	Morrison.
Celaya.	Pavlica.
Chastain.	Pope.
Clayton.	Ramsey.
Cowley.	Ratliff.
Daniel.	Ray.
Dean.	Reed of Bowie.
Dwyer.	Riddle.
Engelhard.	Roberts.
Fain.	Rollins.
Few.	Ross.
Fisher.	Smith.
Glass.	Stanfield.
Golson.	Steward.
Goodman.	Stinson.
Graves.	Stovall.
Greathouse.	Tarwater.
Griffith.	Tennyson.
Hankamer.	Turlington.
Harman.	Van Zandt.
Harris.	Vaughan.
Hester.	Wagstaff.
Hicks.	Walker.
Hill of Webb.	Weinert.
Hodges.	Winningham.
Holekamp.	Wood.

Nays—22

Adamson.	James.
Barrett.	Jefferson.
Coombes.	Long.
Crossley.	Mackay.
Devall.	Moffett.
Fuchs.	Morse.
Good.	Parkhouse.
Haag.	Reed of Dallas.
Hill of Brazoria.	Russell.
Hoskins.	Scarborough.
Hughes.	Shults.

Present—Not Voting

Bourne.	Jones of Runnels.
Butler.	Kyle of Hays.
Ford.	Mathis.
Head.	McDougald.
Jones of Atascosa.	Merritt.

Nicholson.
Patterson.
Renfro.

Rogers
of Ochiltree.
Thomas.
Young.

Absent

Beck.	Kyle of Palo Pinto.
Burns.	Lemens.
Caven.	Metcalf.
Colson.	Moore.
Davidson.	Munson.
Dunlap.	Palmer.
Duvall.	Puryear.
Harrison.	Reader.
Hartzog.	Rogers of Hunt.
Holland.	Savage.
Holloway.	Scott.
Huddleston.	Shannon.
Hyder.	Sullivant.
Johnson	Tillery.
of Anderson.	Townsend.
Kayton.	

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

HOUSE BILLS ON FIRST READING

Mr. Savage moved to introduce, at this time, and have placed on first reading, House Bill No. 917.

The motion prevailed by the following vote:

Yeas—92

Aikin.	Graves.
Alexander.	Greathouse.
Alsup.	Griffith.
Anderson	Haag.
of Bexar.	Hankamer.
Anderson	Harris.
of Johnson.	Harrison.
Baker.	Hester.
Bedford.	Hill of Webb.
Bradley.	Holekamp.
Butler.	Huddleston.
Calvert.	Hughes.
Camp.	Hunt.
Canon.	Jackson.
Cathey.	Jones of Atascosa.
Celaya.	Jones of Runnels.
Chastain.	Jones of Shelby.
Clayton.	Kyle of Palo Pinto.
Cowley.	Laird.
Crossley.	Latham.
Dean.	Lindsey.
Dwyer.	Long.
Engelhard.	Lotief.
Fain.	Mackay.
Few.	Magee.
Fuchs.	McClain.
Glass.	McCullough.
Golson.	McGregor.
Goodman.	McKee.

Merritt.
Mitcham.
Morrison.
Pavlica.
Pope.
Puryear.
Ramsey.
Ratliff.
Ray.
Reed of Bowie.
Renfro.
Riddle.
Roberts.
Rogers of Hunt.
Rollins.
Ross.
Scarborough.
Scott.

Shannon.
Smith.
Stanfield.
Steward.
Stinson.
Stovall.
Tarwater.
Tennyson.
Thomas.
Turlington.
Van Zandt.
Vaughan.
Wagstaff.
Walker.
Weinert.
Winningham.
Wood.
Young.

Nays—14

Adamson.	Hoskins.
Barrett.	James.
Coombes.	Munson.
Devall.	Parkhouse.
Fisher.	Reed of Dallas.
Good.	Russell.
Harman.	Shults.

Present—Not Voting

Bourne.	Mathis.
Ford.	McDougald.
Head.	Moffett.
Hill of Brazoria.	Nicholson.
Hodges.	Rogers
Kyle of Hays.	of Ochiltree.

Absent

Barron.	Johnson
Beck.	of Anderson.
Burns.	Kayton.
Caven.	Lemens.
Colson.	Leonard.
Daniel.	Metcalf.
Davidson.	Moore.
Dunlap.	Morse.
Duvall.	Palmer.
Hartzog.	Patterson.
Hicks.	Reader.
Holland.	Savage.
Holloway.	Sullivant.
Hyder.	Tillery.
Jefferson.	Townsend.

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

The Speaker then laid the following bill before the House; it was read first time, and referred to the appropriate committee, as follows:

H. B. No. 917, A bill to be entitled "An Act providing in counties having

more than three hundred thousand (300,000) inhabitants, and less than three hundred and fifty-nine thousand (359,000) inhabitants, according to the last or any subsequent Federal Census, providing for the election, oath, and bond of the office of assessor and collector of taxes, as combined by the recent amendment to the Constitution; providing that Articles 7181 to 7359, inclusive, Title 122, of the 1925 Revised Civil Statutes of Texas, including all amendments, as well as the 1925 Revised Civil Statutes, shall be so construed as to carry out the purposes of the constitutional amendment providing for one office, and that the words 'assessor,' 'assessor of taxes,' 'collector,' 'collector of taxes,' or 'tax collector' shall refer to and mean one office, or officer; etc., and declaring an emergency."

Mr. Savage moved to introduce, at this time, House Bill No. 918.

The motion prevailed by the following vote:

Yeas—108

Aikin.	Griffith.
Alexander.	Haag.
Alsup.	Hankamer.
Anderosn	Harman.
of Bexar.	Harris.
Anderson	Head.
of Johnson.	Hester.
Baker.	Hicks.
Barron.	Hill of Webb.
Bedford.	Hodges.
Bourne.	Hoskins.
Bradley.	Huddleston.
Burns.	Hughes.
Butler.	Hunt.
Calvert.	Jackson.
Camp.	Jones of Atascosa.
Canon.	Jones of Runnels.
Cathey.	Jones of Shelby.
Celaya.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Clayton.	Laird.
Cowley.	Latham.
Crossley.	Leonard.
Daniel.	Lindsey.
Dean.	Lotief.
Devall.	Mackay.
Dwyer.	Magee.
Fain.	McClain.
Few.	McCullough.
Fisher.	McDougald.
Ford.	McKee.
Fuchs.	Merritt.
Glass.	Mitcham.
Golson.	Morrison.
Goodman.	Munson.
Graves.	Nicholson.
Greathouse.	Parkhouse.

Patterson.	Smith.
Pavlica.	Stanfield.
Pope.	Steward.
Puryear.	Stinson.
Ramsey.	Stovall.
Ratliff.	Tarwater.
Ray.	Tennyson.
Reed of Bowie.	Thomas.
Reed of Dallas.	Tillery.
Renfro.	Turlington.
Riddle.	Van Zandt.
Roberts.	Vaughan.
Rogers of Hunt.	Wagstaff.
Rollins.	Walker.
Ross.	Weinert.
Scarborough.	Winningham.
Scott.	Wood.
Shannon.	Young.

Nays—8

Adamson.	Holekamp.
Barrett.	James.
Coombes.	Russell.
Good.	Shults.

Present—Not Voting

Hill of Brazoria.	Rogers
Mathis.	of Ochiltree.
Moffett.	

Absent

Beck.	Johnson
Caven.	of Anderson.
Colson.	Kayton.
Davidson.	Lemens.
Dunlap.	Long.
Duvall.	McGregor.
Engelhard.	Metcalfe.
Harrison.	Moore.
Hartzog.	Morse.
Holland.	Palmer.
Holloway.	Reader.
Hyder.	Savage.
Jefferson.	Sullivant.
	Townsend.

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

H. B. No. 918, A bill to be entitled "An Act providing in counties having more than seven thousand, six hundred and fifty (7,650) inhabitants, and less than seven thousand, six hundred and seventy-five (7,675) inhabitants, according to the last, or any subsequent, Federal Census, and containing an area of less than one hundred and fifty (150) square miles, for the elec-

tion of a sheriff, assessor and collector of taxes, providing for rights, powers, and privileges, prescribing duties and bonds; etc.; and declaring an emergency."

MOTION TO INTRODUCE CERTAIN BILL

Mr. Savage moved to introduce, at this time, a bill relative to fees of officers in Dallas County.

The motion was lost (not receiving the necessary four-fifths votes) by the following vote:

Yeas—84

Adamson.	Jackson.
Aikin.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Atascosa.
Anderson	Jones of Runnels.
of Bexar.	Jones of Shelby.
Anderson	Latham.
of Johnson.	Lemens.
Baker.	Leonard.
Bedford.	Lindsey.
Bradley.	Mackay.
Calvert.	Magee.
Camp.	McCullough.
Canon.	Mitcham.
Cathey.	Morrison.
Celaya.	Pavlica.
Chastain.	Pope.
Clayton.	Puryear.
Colson.	Ramsey.
Crossley.	Ratliff.
Daniel.	Reed of Bowie.
Davidson.	Renfro.
Dean.	Rogers of Hunt.
Devall.	Rollins.
Dwyer.	Ross.
Fain.	Savage.
Few.	Shannon.
Fisher.	Smith.
Fuchs.	Stanfield.
Glass.	Steward.
Golson.	Stinson.
Goodman.	Tarwater.
Graves.	Tennyson.
Greathouse.	Thomas.
Hankamer.	Tillery.
Harman.	Turlington.
Harris.	Vaughan.
Hester.	Wagstaff.
Hicks.	Walker.
Hill of Webb.	Weinert.
Hodges.	Winningham.
Holekamp.	Wood.
Huddleston.	Young.
Hunt.	

Nays—18

Burns.	Haag.
Coombes.	Hoskins.
Good.	Hughes.

James.	Parkhouse.
Jefferson.	Reed of Dallas.
Kyle of Hays.	Russell.
Metcalfe.	Scarborough.
Moffett.	Shults.
Munson.	Van Zandt.

Present—Not Voting

Bourne.	McKee.
Ford.	Merritt.
Head.	Nicholson.
Hill of Brazoria.	Riddle.
Kayton.	Rogers
Mathis.	of Ochiltree.
McDougald.	

Absent

Barrett.	Laird.
Barron.	Long.
Beck.	Lotief.
Butler.	McClain.
Caven.	McGregor.
Cowley.	Moore.
Dunlap.	Morse.
Duvall.	Palmer.
Engelhard.	Patterson.
Griffith.	Ray.
Harrison.	Reader.
Hartzog.	Roberts.
Holland.	Scott.
Holloway.	Stovall.
Hyder.	Sullivant.
Kyle of Palo Pinto.	Townsend.

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

HOUSE BILLS ON FIRST READING

Mr. Savage moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—121

Aikin.	Caven.
Alexander.	Celaya.
Alsup.	Chastain.
Anderson	Clayton.
of Bexar.	Colson.
Baker.	Cowley.
Barrett.	Crossley.
Barron.	Daniel.
Beck.	Davidson.
Bedford.	Dean.
Bourne.	Dunlap.
Bradley.	Engelhard.
Butler.	Fain.
Calvert.	Few.
Camp.	Fisher.
Canon.	Ford.
Cathey.	Fuchs.

Glass.	Moffett.
Golson.	Moore.
Good.	Morrison.
Goodman.	Morse.
Graves.	Munson.
Greathouse.	Nicholson.
Griffith.	Palmer.
Haag.	Patterson.
Hankamer.	Pavlica.
Harman.	Pope.
Harris.	Puryear.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Webb.	Renfro.
Hodges.	Riddle.
Holekamp.	Roberts.
Holland.	Rogers of Hunt.
Hoskins.	Rollins.
Huddleston.	Ross.
Hughes.	Savage.
Hunt.	Scarborough.
Jackson.	Scott.
Jefferson.	Shannon.
Johnson	Smith.
of Anderson.	Stanfield.
Jones of Atascosa.	Steward.
Jones of Runnels.	Stinson.
Kyle of Palo Pinto.	Stovall.
Laird.	Tarwater.
Latham.	Tennyson.
Lemens.	Thomas.
Leonard.	Townsend.
Lindsey.	Turlington.
Long.	Van Zandt.
Magee.	Vaughan.
Mackay.	Wagstaff.
McClain.	Walker.
McCullough.	Weinert.
McDougald.	Winningham.
McKee.	Wood.
Metcalfe.	Young.
Mitcham.	

Nays—6

Adamson.	Parkhouse.
Coombes.	Russell.
James.	Shults.

Present—Not Voting

Hill of Brazoria.	Kyle of Hays.
Kayton.	

Absent

Anderson	Lotief.
of Johnson.	Mathis.
Burns.	McGregor.
Devall.	Merritt.
Duvall.	Ramsey.
Dwyer.	Rogers
Holloway.	of Ochiltree.
Hyder.	Sullivant.
Jones of Shelby.	Tillery.

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

The Speaker then laid the following bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Savage:

H. B. No. 922, A bill to be entitled "An Act regulating the collection and disposition of fees of office for each county officer, and precinct officer, in counties having more than seven thousand, six hundred and fifty (7,650) inhabitants, and less than seven thousand, six hundred and seventy-five (7,675) inhabitants, according to the last Federal Census, receiving fees of office for his services; providing for the payment of the premium on officers' bond, necessary expenses, and salaries of deputies, assistants, and employes of said officers, as allowed and approved by the county commissioners court; providing the amounts to be retained by said officers and the amounts to be paid into the county treasury; providing the maximum amount that any officer may receive; etc.; and declaring an emergency."

Referred to Committee on Counties.

Mr. Pope moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—97

Adamson.	Duvall.
Aikin.	Dwyer.
Anderson	Engelhard.
of Bexar.	Fain.
Baker.	Few.
Barrett.	Fisher.
Beck.	Ford.
Bedford.	Fuchs.
Bourne.	Glass.
Bradley.	Golson.
Burns.	Good.
Calvert.	Goodman.
Canon.	Greathouse.
Cathey.	Griffith.
Caven.	Haag.
Celaya.	Harrison.
Chastain.	Hartzog.
Clayton.	Hicks.
Colson.	Hill of Webb.
Cowley.	Holekamp.
Davidson.	Holland.
Devall.	Hoskins.

Huddleston.	Ray.
Hunt.	Reader.
Jackson.	Reed of Bowie.
James.	Renfro.
Jefferson.	Roberts.
Jones of Atascosa.	Rogers of Hunt.
Jones of Runnels.	Rogers
Laird.	of Ochiltree.
Latham.	Rollins.
Lemens.	Savage.
Leonard.	Scarborough.
Lindsey.	Shannon.
Magee.	Smith.
Mackay.	Stanfield.
McClain.	Steward.
McCullough.	Stinson.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Townsend.
Morrison.	Turlington.
Morse.	Van Zandt.
Munson.	Wagstaff.
Nicholson.	Walker.
Palmer.	Winningham.
Pavlica.	Wood.
Pope.	Young.
Puryear.	

Nays—10

Alexander.	McDougald.
Anderson	Ratliff.
of Johnson.	Reed of Dallas.
Barron.	Sullivant.
Coombes.	Vaughan.
Head.	

Present—Not Voting

Hill of Brazoria.	Kyle of Palo Pinto.
Hodges.	Russell.
Kyle of Hays.	Scott.

Absent

Alsup.	Jones of Shelby.
Butler.	Kayton.
Camp.	Long.
Crossley.	Lotief.
Daniel.	Mathis.
Dean.	McGregor.
Dunlap.	McKee.
Graves.	Merritt.
Hankamer.	Parkhouse.
Harman.	Patterson.
Harris.	Ramsey.
Hester.	Riddle.
Holloway.	Ross.
Hughes.	Shults.
Hyder.	Stovall.
Johnson	Tillery.
of Anderson.	Weinert.

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

The Speaker then laid the following bill before the House; it was read first time, and referred to the appropriate committee as follows:

By Mr. Pope:

H. B. No. 923, A bill to be entitled "An Act to empower certain cities in this State, therein defined, to build, construct, own, maintain, and operate a bridge or bridges over and across any stream, inlet, or arm of the Gulf of Mexico or entrance channel to a port in said city and to enact all necessary and reasonable ordinances, providing rules and regulations for the operation of same, and providing that no such bridge constructed, maintained, and operated over any entrance channel to any port operated by any navigation district without a permit from the navigation and canal commissioners of said district upon conditions fixed by said permit, and providing that said navigation and canal commissioners shall have the power to prescribe reasonable rules and regulations for the operation of said bridge and direct control over the mechanical facilities of said bridge for the clearance of the channel for ingress and egress of vessels to said port, and further granting to said city in connection with the construction of such bridge the power to fill in and reclaim any of its submerged lands along its water front, and to build and construct sea walls, breakwaters, or shore protection to the same, and to construct water mains, gas mains, storm sewers, sanitary sewers, sidewalks, streets, and other like improvements thereon, and to rent, lease, sell, or grant franchises for the use of same, and to dredge out, construct, and maintain any extension of any channel in connection with such deep water port within said city, and granting said city the power for all of said purposes to borrow money from the Federal Government or any of its agencies created for the purpose of making such loan or otherwise obtain such funds, and to encumber said properties and facilities and the net revenues and income of same to secure payment of said funds, and to make sale of all or parts of the reclaimed area; to pledge and encumber said net income and revenues, and to provide for foreclosure and for a franchise to the purchaser under foreclosure, and to issue evi-

dences of indebtedness secured thereby, prescribing the limitation upon said evidences of indebtedness and encumbrances, and providing that same shall be solely a charge upon the property encumbered and the net revenues and income thereof shall not be a debt of said city under the Constitution, and providing that the holder of said indebtedness shall not have the right to demand the payment of said obligation out of any funds raised by taxation, prescribing the provisions of said encumbrances and evidences of indebtedness while so encumbered and, after default, limiting the provisions of this Act to loans secured from the Reconstruction Finance Corporation or other like agency of the Federal Government, and providing that Chapter 163, Acts, Forty-second Legislature, applicable to a city acting under the provisions of this Act, enabling State Highway Commission to provide part or all of the cost, providing a saving clause, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

HOUSE BILL NO. 845 WITH SENATE AMENDMENTS

Mr. Moffett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 845, A bill to be entitled "An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasia, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; providing that repairs to such properties shall be a first lien; providing that the tolls, fees, and other charges made for the use thereof shall be at a rate sufficient to pay the current interest and provide the necessary sinking fund therefor; etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Moffett moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Moffett, Alexander, Harris, Ratliff, and Tennyson.

HOUSE BILL NO. 242 WITH SENATE AMENDMENTS

Mr. Long called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 242, A bill to be entitled "An Act to repeal Chapter 5, Acts of the Thirty-sixth Legislature, Third Called Session, and Chapter 34, Section 1 and Subsection 15, Acts of the Thirty-seventh Legislature, Regular Session."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Long, the House concurred in the Senate amendments.

SENATE BILL NO. 312 ON SECOND READING

Mr. Shannon moved to take up, at this time, out of its regular order, Senate Bill No. 312.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 312, A bill to be entitled "An Act to add to the Revised Civil Statutes of Texas a new Article, to be known as Article 6479-a, relating to the frequency of freight train service required on railroads in this State, and the furnishing of freight cars for loading; and repealing all conflicting laws and parts thereof; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 312 ON THIRD READING

Mr. Shannon moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 312 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adamson.	Jones of Shelby.
Aikin.	Kyle of Palo Pinto.
Alexander.	Laird.
Alsup.	Leonard.
Anderson	Lindsey.
of Bexar.	Long.
Anderson	Magee.
of Johnson.	Mackay.
Baker.	McClain.
Barrett.	McCullough.
Barron.	McDougald.
Beck.	McKee.
Bedford.	Merritt.
Bourne.	Metcalfe.
Bradley.	Mitcham.
Burns.	Moffett.
Butler.	Moore.
Calvert.	Munson.
Camp.	Nicholson.
Canon.	Parkhouse.
Cathey.	Patterson.
Celaya.	Pavlica.
Chastain.	Pope.
Coombes.	Puryear.
Cowley.	Ratliff.
Crossley.	Ray.
Daniel.	Reed of Bowie.
Devall.	Reed of Dallas.
Fain.	Renfro.
Few.	Riddle.
Fisher.	Roberts.
Ford.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Graves.	Ross.
Greathouse.	Russell.
Griffith.	Savage.
Haag.	Scarborough.
Harman.	Scott.
Harris.	Shannon.
Harrison.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Holekamp.	Tennyson.
Holland.	Thomas.
Holloway.	Tillery.
Hoskins.	Townsend.
Hughes.	Turlington.
Hunt.	Van Zandt.
James.	Vaughan.
Jefferson.	Wagstaff.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Atascosa.	Winningham.
Jones of Runnels.	Wood.

Nays—1

Hankamer.

Absent

Caven.	Kayton.
Clayton.	Kyle of Hays.
Colson.	Latham.
Davidson.	Lemens.
Dean.	Lotief.
Dunlap.	Mathis.
Duvall.	McGregor.
Dwyer.	Morrison.
Engelhard.	Morse.
Fuchs.	Palmer.
Goodman.	Ramsey.
Hester.	Reader.
Hicks.	Steward.
Hill of Brazoria.	Sullivant.
Huddleston.	Tarwater.
Hyder.	Young.
Jackson.	

Absent—Excused

Dunagan.	Wells.
Johnson	
of Dimmit.	

The Speaker then laid Senate Bill No. 312 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Adamson.	Fisher.
Aikin.	Ford.
Alexander.	Glass.
Alsup.	Golson.
Anderson	Good.
of Bexar.	Goodman.
Anderson	Graves.
of Johnson.	Greathouse.
Baker.	Griffith.
Barrett.	Haag.
Barron.	Harman.
Beck.	Harris.
Bedford.	Harrison.
Bourne.	Hartzog.
Bradley.	Head.
Burns.	Hester.
Butler.	Hill of Brazoria.
Calvert.	Hill of Webb.
Camp.	Hodges.
Canon.	Holekamp.
Cathey.	Holland.
Celaya.	Holloway.
Chastain.	Hoskins.
Clayton.	Huddleston.
Coombes.	Hughes.
Cowley.	Hunt.
Crossley.	James.
Davidson.	Jefferson.
Dean.	Johnson
Devall.	of Anderson.
Duvall.	Jones of Atascosa.
Engelhard.	Jones of Runnels.
Fain.	Jones of Shelby.
Few.	Kayton.

Kyle of Hays.	Roberts.
Lemens.	Rogers of Hunt.
Lindsey.	Rollins.
Long.	Ross.
Magee.	Russell.
Mackay.	Savage.
McClain.	Scarborough.
McCullough.	Scott.
McDougald.	Shannon.
Merritt.	Shults.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moffett.	Steward.
Moore.	Stinson.
Morrison.	Stovall.
Munson.	Sullivant.
Nicholson.	Tarwater.
Parkhouse.	Tennyson.
Patterson.	Thomas.
Pavlica.	Townsend.
Pope.	Turlington.
Puryear.	Van Zandt.
Ratliff.	Vaughan.
Ray.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Weinert.
Renfro.	Winningham.
Riddle.	Wood.

Nays—3

Daniel.	Laird.
Hankamer.	

Absent

Caven.	Mathis.
Colson.	McGregor.
Dunlap.	McKee.
Dwyer.	Morse.
Fuchs.	Palmer.
Hicks.	Ramsey.
Hyder.	Reader.
Jackson.	Rogers
Kyle of Palo Pinto.	of Ochiltree.
Latham.	Tillery.
Leonard.	Young.
Lotief.	

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 46, Relative to the classification of high schools.

SENATE BILL NO. 331 ON SECOND READING

On motion of Mr. Baker, by unanimous consent of the House, the regu-

lar order was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 331, A bill to be entitled "An Act amending Article 6377, Revised Civil Statutes of Texas, 1925, so as to provide that passenger trains carrying troops of the Organized Militia, the National Guard, and trains handling troops and equipment of the United States Government, shall be permitted to place baggage cars and other cars carrying troop train equipment and military supplies within the train in such manner as may be directed by the military authorities; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to third reading.

SENATE BILL NO. 331 ON THIRD READING

Mr. Baker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 331 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson.	Glass.
Aikin.	Golson.
Alexander.	Good.
Alsup.	Goodman.
Anderson	Greathouse.
of Bexar.	Griffith.
Baker.	Haag.
Barrett.	Harman.
Barron.	Harrison.
Beck.	Hartzog.
Bedford.	Head.
Bourne.	Hester.
Bradley.	Hill of Brazoria.
Burns.	Hill of Webb.
Butler.	Hodges.
Calvert.	Holekamp.
Camp.	Hoskins.
Canon.	Huddleston.
Cathey.	Hughes.
Celaya.	Hunt.
Chastain.	James.
Clayton.	Jefferson.
Coombes.	Johnson
Cowley.	of Anderson.
Crossley.	Jones of Atascosa.
Davidson.	Jones of Runnels.
Dean.	Jones of Shelby.
Devall.	Kyle of Hays.
Fain.	Kyle of Palo Pinto.
Few.	Laird.
Fuchs.	Latham.

Lemens.	Rogers
Leonard.	of Ochiltree.
Lindsey.	Rollins.
Long.	Ross.
Magee.	Russell.
McClain.	Savage.
McCullough.	Scarborough.
McKee.	Scott.
Merritt.	Shannon.
Mitcham.	Shults.
Moffett.	Smith.
Moore.	Stanfield.
Morrison.	Steward.
Munson.	Stinson.
Nicholson.	Sullivant.
Parkhouse.	Tarwater.
Patterson.	Tennyson.
Pavlica.	Thomas.
Pope.	Tillery.
Puryear.	Townsend.
Ratliff.	Turlington.
Ray.	Van Zandt.
Reed of Bowie.	Vaughan.
Reed of Dallas.	Wagstaff.
Renfro.	Walker.
Riddle.	Weinert.
Roberts.	Wood.
Rogers of Hunt.	Young.

Nays—1

Hankamer.

Present—Not Voting

Graves.

Absent

Anderson	Hyder.
of Johnson.	Jackson.
Caven.	Kayton.
Colson.	Lotief.
Daniel.	Mackay.
Dunlap.	Mathis.
Duvall.	McDougald.
Dwyer.	McGregor.
Engelhard.	Metcalfe.
Fisher.	Morse.
Ford.	Palmer.
Harris.	Ramsey.
Hicks.	Reader.
Holland.	Stovall.
Holloway.	Winningham.

Absent—Excused

Dunagan. Wells.
Johnson of Dimmit.

The Speaker then laid Senate Bill No. 331 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson.	Alexander.
Aikin.	Alsup.

Anderson	Laird.
of Bexar.	Lemens.
Anderson	Lindsey.
of Johnson.	Long.
Baker.	Mackay.
Barrett.	Magee.
Barron.	Mathis.
Beck.	McClain.
Bedford.	McCullough.
Bourne.	McKee.
Bradley.	Merritt.
Burns.	Metcalfe.
Butler.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Canon.	Morrison.
Cathey.	Munson.
Celaya.	Nicholson.
Chastain.	Patterson.
Clayton.	Pavlica.
Colson.	Pope.
Coombes.	Puryear.
Cowley.	Ratliff.
Crossley.	Ray.
Davidson.	Reed of Bowie.
Dean.	Reed of Dallas.
Devall.	Renfro.
Fain.	Riddle.
Few.	Roberts.
Fisher.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Graves.	Savage.
Greathouse.	Scarborough.
Griffith.	Scott.
Haag.	Shannon.
Harrison.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hester.	Steward.
Hill of Brazoria.	Stinson.
Hill of Webb.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Hunt.	Townsend.
James.	Turlington.
Jefferson.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	

Nays—1

Hankamer.

Absent

Caven.	Dunlap.
Daniel.	Duvall.

Dwyer.	Latham.
Engelhard.	Leonard.
Ford.	Lotief.
Harman.	McDougald.
Harris.	McGregor.
Hicks.	Morse.
Holland.	Palmer.
Holloway.	Parkhouse.
Hyder.	Ramsey.
Jackson.	Reader.
Jones of Atascosa.	Young.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

SENATE BILL NO. 300 ON SECOND READING

Mr. Holekamp moved to suspend the regular order of business, and take up, for consideration at this time,

S. B. No. 300, A bill to be entitled "An Act to amend Sections 7 and 8, of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, making an appropriation of moneys deposited to the credit of the County and Road District Highway Fund up to September 1, 1935, for application on the payment of principal, interest, and sinking fund on eligible obligations of the county and road districts of the State maturing from September 1, 1933, to September 1, 1935, making appropriation to defray the expenses incident to the administration of said Act; providing for the payment of all sinking funds on eligible issues into the State Treasury; providing for the investment of such funds and purchase of bonds by the Board of County and Road District Indebtedness; and declaring an emergency."

There was no objection offered, and it was so ordered.

The Speaker then laid the bill before the House; it was read second time, and was passed to third reading.

SENATE BILL NO. 300 ON THIRD READING

Mr. Holekamp moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 300 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Jones of Shelby.
Alsup.	Kayton.
Anderson	Kyle of Hays.
of Bexar.	Kyle of Palo Pinto.
Anderson	Laird.
of Johnson.	Latham.
Baker.	Lemens.
Barrett.	Leonard.
Barron.	Lindsey.
Beck.	Magee.
Bedford.	Mathis.
Bourne.	McClain.
Bradley.	McCullough.
Burns.	McDougald.
Butler.	McGregor.
Calvert.	McKee.
Camp.	Merritt.
Canon.	Metcalfe.
Cathey.	Mitcham.
Celaya.	Moore.
Chastain.	Morrison.
Clayton.	Munson.
Colson.	Palmer.
Coombes.	Parkhouse.
Cowley.	Pavlica.
Crossley.	Pope.
Davidson.	Purveyer.
Dean.	Ratliff.
Devall.	Ray.
Dunlap.	Reader.
Duvall.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Engelhard.	Renfro.
Fain.	Riddle.
Few.	Roberts.
Fisher.	Rogers
Ford.	of Ochiltree.
Fuchs.	Rollins.
Glass.	Ross.
Golson.	Russell.
Good.	Savage.
Graves.	Scarborough.
Greathouse.	Shannon.
Griffith.	Shults.
Hankamer.	Smith.
Harris.	Steward.
Harrison.	Stinson.
Head.	Stovall.
Hester.	Sullivant.
Hill of Brazoria.	Tarwater.
Hill of Webb.	Thomas.
Hodges.	Tillery.
Holekamp.	Townsend.
Hoskins.	Turlington.
Huddleston.	Van Zandt.
Hughes.	Vaughan.
Hunt.	Wagstaff.
Jackson.	Walker.
James.	Weinert.
Jefferson.	Winningham.
Johnson	Wood.
of Anderson.	Young.

Absent

Caven.	Lotief.
Daniel.	Mackay.
Goodman.	Moffett.
Haag.	Morse.
Harman.	Nicholson.
Hartzog.	Patterson.
Hicks.	Ramsey.
Holland.	Rogers of Hunt.
Holloway.	Scott.
Hyder.	Stanfield.
Long.	Tennyson.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

The Speaker then laid Senate Bill No. 300 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—127

Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Golson.
Alsup.	Good.
Anderson	Goodman.
of Bexar.	Greathouse.
Anderson	Griffith.
of Johnson.	Haag.
Baker.	Hankamer.
Barrett.	Harris.
Barron.	Harrison.
Beck.	Hartzog.
Bedford.	Head.
Bourne.	Hester.
Bradley.	Hill of Brazoria.
Burns.	Hill of Webb.
Butler.	Hodges.
Calvert.	Holekamp.
Camp.	Holloway.
Canon.	Hoskins.
Cathey.	Huddleston.
Celaya.	Hughes.
Chastain.	Jackson.
Clayton.	James.
Colson.	Jefferson.
Coombes.	Johnson
Cowley.	of Anderson.
Crossley.	Jones of Atascosa.
Davidson.	Jones of Runnels.
Dean.	Jones of Shelby.
Devall.	Kayton.
Dunlap.	Kyle of Hays.
Duvall.	Laird.
Dwyer.	Latham.
Engelhard.	Lemens.
Fain.	Leonard.
Few.	Lindsey.
Fisher.	Mackay.
Ford.	Magee.

Mathis.	Rogers
McClain.	of Ochiltree.
McCullough.	Rollins.
McDougald.	Ross.
McGregor.	Russell.
McKee.	Scarborough.
Merritt.	Shannon.
Metcalf.	Shults.
Mitcham.	Smith.
Moffett.	Stanfield.
Moore.	Steward.
Morrison.	Stovall.
Munson.	Sullivant.
Palmer.	Tarwater.
Parkhouse.	Thomas.
Pavlica.	Tillery.
Pope.	Townsend.
Puryear.	Turlington.
Ratliff.	Van Zandt.
Ray.	Vaughan.
Reader.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Weinert.
Renfro.	Winningham.
Riddle.	Wood.
Roberts.	Young.
Rogers of Hunt.	

Absent

Caven.	Lotief.
Daniel.	Morse.
Graves.	Nicholson.
Harman.	Patterson.
Hicks.	Ramsey.
Holland.	Savage.
Hunt.	Scott.
Hyder.	Stinson.
Kyle of Palo Pinto.	Tennyson.
Long.	

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. J. R. No. 30, Proposing an amendment to Article III, of the Constitution of the State of Texas, to be known as Section 51-a; providing that the Legislature may authorize by law the issuance and sale of bonds of the State of Texas, not to exceed the sum of \$20,000,000, etc.

The Senate has passed

S. B. No. 454, A bill to be entitled "An Act to amend Subdivision 32, of

Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts, 1931, Forty-second Legislature, First Called Session, page 27, Chapter 14, Section 1, relating to the District Court for the Thirty-second Judicial District, so as to exclude Howard County, and to change the dates of convening the District Court in the counties of the Thirty-second Judicial District of Texas; Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, page 50, Chapter 19, relating to the District Court for the Seventieth Judicial District of the State of Texas, so as to include Howard County in the Seventieth Judicial District, and exclude Andrews County; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 472 ON SECOND READING

Mr. McGregor moved that the regular order of business be suspended, and that Senate Bill No. 472 be taken up, for consideration at this time.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 472, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1933 at the several State institutions of higher learning in the State of Texas, authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students; and declaring an emergency."

The bill was read second time.

(Mr. Barrett in the Chair.)

Mr. Good offered the following amendment to the bill:

Amend Senate Bill No. 472, Section 1, each line from 35, page 1, to and including line 12, page 2, by changing the figures to a 25 per cent reduction, and changing the total, "\$374,750," to "\$281,062.50."

GOOD,
SCOTT.

Mr. Kayton offered the following amendment to the bill:

Amend Senate Bill No. 472 by striking out the enacting clause.

Mr. Turlington moved to table the amendment by Mr. Kayton.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—83

Alexander.	Jones of Shelby.
Alsup.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Johnson.	Laird.
Baker.	Latham.
Bedford.	Lemens.
Bourne.	Leonard.
Bradley.	Magee.
Burns.	McClain.
Butler.	McDougald.
Calvert.	McGregor.
Camp.	McKee.
Cathey.	Mitcham.
Caven.	Moffett.
Celaya.	Moore.
Clayton.	Morrison.
Daniel.	Nicholson.
Davidson.	Palmer.
Dunlap.	Patterson.
Duvall.	Pope.
Dwyer.	Puryear.
Ford.	Ramsey.
Glass.	Ratliff.
Goodman.	Renfro.
Graves.	Riddle.
Greathouse.	Roberts.
Griffith.	Rogers
Hankamer.	of Ochiltree.
Head.	Russell.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Shannon.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Sullivant.
Hoskins.	Tarwater.
Hughes.	Thomas.
Hunt.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Johnson	Van Zandt.
of Anderson.	Weinert.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.

Nays—47

Adamson.	Cowley.
Aikin.	Crossley.
Anderson	Dean.
of Bexar.	Devall.
Barron.	Fain.
Beck.	Few.
Canon.	Fisher.
Chastain.	Fuchs.
Coombes.	Golson.

Good.	Pavlica.
Haag.	Ray.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Harrison.	Rogers of Hunt.
Holloway.	Rollins.
Huddleston.	Savage.
Kayton.	Scott.
Lindsey.	Shults.
Lotief.	Smith.
Mackay.	Stovall.
McCullough.	Vaughan.
Merritt.	Wagstaff.
Metcalfe.	Walker.
Munson.	Winningham.

Present—Not Voting

Mathis.

Absent

Barrett.	Long.
Colson.	Morse.
Engelhard.	Parkhouse.
Hartzog.	Reader.
Hester.	Ross.
Hicks.	Stinson.
Hyder.	Tennyson.
Jefferson.	

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

Mr. Wagstaff and Mr. Aikin offered the following substitute for the amendment by Mr. Good:

Amend Senate Bill No. 472 by striking out all of Section 1.

(Speaker in the Chair.)

Mr. Chastain moved that further consideration of the bill be postponed until May 10, 1933.

Question—Shall the motion by Mr. Chastain prevail?

SENATE BILL AND JOINT RESOLUTION ON FIRST READING

The following Senate bill and resolution, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 453, to the Committee on Judicial Districts.

Senate Joint Resolution No. 30, to the Committee on Constitutional Amendments.

CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION NO. 3

On motion of Mr. Morse, the House granted the request of the Senate for the appointment of a conference committee on Senate Joint Resolution No. 3.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Morse, Ford, Shannon, Dean, and Moffett.

RECESS

On motion of Mr. Scott, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee on House Bill No. 845. The following have been appointed on the part of the Senate: Senators Oneal, Woodward, Poage, Duggan, and Beck.

The Senate has refused to concur in House amendments to Senate Joint Resolution No. 3, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Rawlings, Purl, Woodruff, Regan, and Woodward.

The Senate has adopted the conference committee report on Senate Bill No. 195 by the following vote: Yeas, 29; nays, 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 472 ON SECOND READING

The House resumed consideration of pending business, same being Senate Bill No. 472, making an appro-

priation for the support of the various summer schools of the State schools, of Texas, on its passage to third reading;

The bill having heretofore been read second time, with amendment by Mr. Good, substitute by Mr. Aikin for the amendment by Mr. Good, and motion by Mr. Chastain to postpone further consideration of the bill until May 10, pending.

Mr. Alexander moved the previous question on the motion by Mr. Chastain, and the main question was ordered.

Question recurring on the motion by Mr. Chastain, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—65

Adamson.	Lotief.
Aikin.	Mackay.
Anderson	McCullough.
of Bexar.	McDougald.
Baker.	Merritt.
Beck.	Moffett.
Bedford.	Munson.
Bourne.	Palmer.
Canon.	Parkhouse.
Cathey.	Pope.
Caven.	Puryear.
Chastain.	Ratliff.
Coombes.	Ray.
Crossley.	Reader.
Dean.	Reed of Bowie.
Devall.	Reed of Dallas.
Fain.	Rogers of Hunt.
Fisher.	Rollins.
Fuchs.	Savage.
Golson.	Scarborough.
Good.	Scott.
Goodman.	Shannon.
Graves.	Stinson.
Harman.	Stovall.
Harris.	Sullivant.
Hester.	Van Zandt.
Hoskins.	Vaughan.
Hunt.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Winningham.
Kyle of Palo Pinto.	Wood.
Lindsey.	Young.

Nays—64

Alexander.	Calvert.
Alsup.	Camp.
Anderson	Celaya.
of Johnson.	Clayton.
Barrett.	Cowley.
Bradley.	Daniel.
Burns.	Davidson.
Butler.	Dunlap.

Duvall.	Long.
Dwyer.	Magee.
Engelhard.	McClain.
Few.	McGregor.
Ford.	Mitcham.
Glass.	Moore.
Greathouse.	Morrison.
Griffith.	Morse.
Hankamer.	Nicholson.
Hartzog.	Renfro.
Head.	Riddle.
Hill of Brazoria.	Roberts.
Hill of Webb.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Ross.
Holland.	Russell.
Huddleston.	Smith.
Hughes.	Stanfield.
Hyder.	Steward.
Jackson.	Tarwater.
Jefferson.	Tennyson.
Jones of Atascosa.	Thomas.
Kyle of Hays.	Tillery.
Laird.	Townsend.
Leonard.	Turlington.

Absent

Barron.	Latham.
Colson.	Lemens.
Haag.	Mathis.
Harrison.	McKee.
Hicks.	Metcalfe.
Holloway.	Patterson.
James.	Pavlica.
Johnson	Ramsey.
of Anderson.	Shults.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

BILL ORDERED NOT PRINTED

On motion of Mr. Holland, by unanimous consent of the House, Senate Bill No. 274 was ordered not printed.

SENATE BILL NO. 483 ON SECOND READING

Mr. Celaya asked unanimous consent of the House that the regular order of business be suspended, to take up, for consideration at this time, Senate Bill No. 483.

There was no objection offered, and it was so ordered.

The Speaker then laid before the House, on its second reading, and passage to third reading,

S. B. No. 483, A bill to be entitled "An Act providing for the creation

of water supply districts pursuant to Section 59, Article XVI, of the Constitution, etc., and declaring an emergency."

The bill was read second time.

Mr. Celaya offered the following amendment to the bill:

Amend Senate Bill No. 483, on page 10, line 5, by changing the word "as" to "to."

The amendment was adopted.

Senate Bill No. 483 was then passed to third reading.

SENATE BILL NO. 483 ON THIRD READING

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 483 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Greathouse.
Aikin.	Haag.
Alexander.	Hankamer.
Alsup.	Harris.
Anderson	Hartzog.
of Bexar.	Head.
Anderson	Hill of Brazoria.
of Johnson.	Holekamp.
Baker.	Holland.
Barrett.	Hoskins.
Barron.	Hunt.
Bourne.	Jackson.
Bradley.	Jefferson.
Butler.	Jones of Runnels.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Leonard.
Caven.	Lindsey.
Celaya.	Lotief.
Chastain.	Mackay.
Clayton.	Magee.
Coombes.	McClain.
Cowley.	McCullough.
Crossley.	McDougald.
Daniel.	McKee.
Davidson.	Merritt.
Dean.	Mitcham.
Devall.	Moore.
Dunlap.	Morrison.
Duvall.	Morse.
Fain.	Nicholson.
Few.	Palmer.
Fisher.	Parkhouse.
Fuchs.	Pavlica.
Glass.	Pope.
Golson.	Puryear.
Good.	Ratliff.
Goodman.	Ray.

Reader.	Stanfield.
Reed of Bowie.	Steward.
Reed of Dallas.	Stovall.
Renfro.	Tarwater.
Riddle.	Tennyson.
Roberts.	Thomas.
Rogers	Tillery.
of Ochiltree.	Townsend.
Ross.	Van Zandt.
Russell.	Vaughan.
Scarborough.	Walker.
Scott.	Winningham.
Shults.	Wood.
Smith.	Young.

Absent

Beck.	Jones of Atascosa.
Bedford.	Jones of Shelby.
Burns.	Laird.
Colson.	Latham.
Dwyer.	Lemens.
Engelhard.	Long.
Ford.	Mathis.
Graves.	McGregor.
Griffith.	Metcalfe.
Harman.	Moffett.
Harrison.	Munson.
Hester.	Patterson.
Hicks.	Ramsey.
Hill of Webb.	Rogers of Hunt.
Hodges.	Rollins.
Holloway.	Savage.
Huddleston.	Shannon.
Hughes.	Stinson.
Hyder.	Sullivant.
James.	Turlington.
Johnson	Wagstaff.
of Anderson.	Weinert.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

The Speaker then laid Senate Bill No. 483 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—106

Adamson.	Calvert.
Aikin.	Camp.
Alexander.	Canon.
Alsup.	Caven.
Anderson	Celaya.
of Bexar.	Chastain.
Anderson	Clayton.
of Johnson.	Coombes.
Baker.	Cowley.
Barron.	Crossley.
Bedford.	Dean.
Bourne.	Devall.
Bradley.	Dunlap.
Butler.	Duvall.

Fain.	Mitcham.
Fisher.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Nicholson.
Goodman.	Palmer.
Greathouse.	Parkhouse.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ratliff.
Hartzog.	Ray.
Head.	Reed of Bowie.
Hill of Brazoria.	Reed of Dallas.
Holekamp.	Renfro.
Holland.	Riddle.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers of Ochiltree.
Hunt.	Ross.
Jackson.	Russell.
Jones of Runnels.	Scarborough.
Kayton.	Scott.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Smith.
Leonard.	Stanfield.
Lindsey.	Steward.
Long.	Stinson.
Lotief.	Stovall.
Mackay.	Tennyson.
Magee.	Thomas.
McClain.	Tillery.
McCullough.	Townsend.
McDougald.	Van Zandt.
McGregor.	Vaughan.
McKee.	Walker.
Merritt.	Winningham.
Metcalfe.	Wood.

Absent

Barrett.	Jefferson.
Beck.	Johnson
Burns.	of Anderson.
Cathey.	Jones of Atascosa.
Colson.	Jones of Shelby.
Daniel.	Latham.
Davidson.	Lemens.
Dwyer.	Mathis.
Engelhard.	Munson.
Few.	Patterson.
Ford.	Ramsey.
Graves.	Reader.
Griffith.	Rollins.
Harrison.	Savage.
Hester.	Sullivant.
Hicks.	Tarwater.
Hill of Webb.	Turlington.
Hodges.	Wagstaff.
Holloway.	Weinert.
Hyder.	Young.
James.	

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

SENATE BILL NO. 209 ON SECOND READING

Mr. Stinson moved that the regular order of business be suspended, and that the House take up, for consideration at this time,

S. B. No. 209, A bill to be entitled "An Act amending Article 3883, of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-second Legislature, Chapter 340; fixing the maximum annual fees of office authorized to be retained by certain district, county, and precinct officers named herein; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

There was no objection offered, and it was so ordered.

The Speaker then laid the bill before the House, and it was read second time.

Mr. Savage offered the following committee amendment to the bill:

Amend Senate Bill No. 209 by striking out all below the enacting clause, and insert in lieu thereof the following:

"Section 1. In counties in the State of Texas having less than twenty-five thousand and one (25,001) inhabitants, according to the last, or any subsequent, Federal Census, each precinct officer, county officer, district clerk, district attorney, and criminal district attorney, receiving fees of office for his services in every such county, shall, each fiscal year, first, out of the fees of his office, pay the premium on whatever surety bond may be required by law, and also pay such necessary expenses and such salaries of deputies, assistants, and employees in his office as are approved by the county commissioners court, and shall retain, as his compensation, the sum of one thousand dollars (\$1,000) for each precinct officer, and two thousand one hundred dollars (\$2,100) for each other named officer, same to include any salary and all remunerations received by each such officer from other sources; each such officer in each such county of the State shall then retain three-fourths out of the further fees received by him until his compensation, including said previously retained sums, shall amount to one thousand five hundred dollars (\$1,500) for each precinct officer, and twenty-four hundred dollars (\$2,400) for each

other named officer, and the remaining one-fourth of said further fees shall be paid into the county treasury; each such officer shall then retain one-fourth of any additional fees received by him until the amount so retained, together with said sums previously retained, shall amount to one thousand eight hundred dollars (\$1,800) for each precinct officer, and three thousand two hundred dollars (\$3,200) for each other named officer, and the remaining three-fourths of such additional fees, as well as all other fees collected by each such officer, shall be paid into the county treasury; provided, that no precinct officer in any such county shall retain more than a total of one thousand eight hundred dollars (\$1,800), and no other named officer in any such county shall retain a total of more than three thousand two hundred dollars (\$3,200) as fees, compensation, and salary from all sources and for all services rendered during a fiscal year.

"Sec. 2. In counties in the State of Texas having more than twenty-five thousand (25,000) inhabitants, and less than forty thousand and one (40,001) inhabitants, according to the last, or any subsequent, Federal Census, each precinct officer, county officer, district clerk, district attorney, and criminal district attorney receiving fees of office for his services in every such county, shall, each fiscal year, first, out of the fees of his office, pay the premium on whatever surety bond may be required by law, and also pay such necessary expenses and such salaries of deputies, assistants, and employes in his office as are approved by the county commissioners court, and shall retain, as his compensation, the sum of one thousand two hundred dollars (\$1,200) for each precinct officer, and two thousand four hundred dollars (\$2,400) for each other named officer, same to include any salary and all remunerations received by each such officer from other sources; each such officer in each such county of the State shall then retain three-fourths out of further fees received by him until his compensation, including said previously retained sums, shall amount to one thousand eight hundred dollars (\$1,800) for each precinct officer, and three thousand dollars (\$3,000) for each other named officer, and the remaining one-fourth of said further fees shall be paid into the county treasury; each such officer shall then

retain one-fourth of any additional fees received by him until the amount so retained, together with said sums previously retained, shall amount to twenty-four hundred dollars (\$2,400) for each precinct officer, and three thousand seven hundred dollars (\$3,700) for each other named officer, and the remaining three-fourths of such additional fees, as well as all other fees collected by each such officer, shall be paid into the county treasury; provided, that no precinct officer in any such county shall retain more than a total of two thousand four hundred dollars (\$2,400), and no other officer named in any such county shall retain a total of more than three thousand seven hundred dollars (\$3,700) as fees, compensation, and salary from all sources and for all services rendered during a fiscal year.

"Sec. 3. In counties in the State of Texas having more than forty thousand (40,000) inhabitants, and less than sixty thousand and one (60,001) inhabitants, according to the last, or any subsequent, Federal Census, each precinct officer, county officer, district clerk, district attorney, and criminal district attorney, receiving fees of office for his services in every such county shall, each fiscal year, first, out of the fees of his office, pay the premium on whatever surety bond may be required by law, and also pay such necessary expenses and such salaries of deputies, assistants, and employes in his office as are approved by the county commissioners court, and shall retain, as his compensation, the sum of eighteen hundred dollars (\$1,800) for each precinct officer, and twenty-seven hundred and fifty dollars (\$2,750) for each other named officer, same to include any salary and all remunerations received by each such officer from other sources; each such officer in each such county of the State shall then retain three-fourths out of further fees received by him until his compensation, including said previously retained sums, shall amount to twenty-seven hundred dollars (\$2,700) for each precinct officer, and three thousand five hundred dollars (\$3,500) for each other named officer, and the remaining one-fourth of said further fees shall be paid into the county treasury; each such officer shall then retain one-fourth of any additional fees received by him until the amount so retained, together with said sums previously

retained, shall amount to three thousand dollars (\$3,000) for each precinct officer, and four thousand dollars (\$4,000) for each other named officer, and the remaining three-fourths of such additional fees, as well as all other fees collected by each such officer, shall be paid into the county treasury; provided, that no precinct officer in any such county shall retain more than a total of three thousand dollars (\$3,000), and no other officer named in any such county shall retain a total of more than four thousand dollars (\$4,000) as fees, compensation, and salary from all sources and for all services rendered during a fiscal year.

"Sec. 4. In counties in the State of Texas containing more than sixty thousand (60,000) inhabitants and less than one hundred and twenty-five thousand and one (125,001) inhabitants, according to the last or any subsequent Federal Census, each precinct officer, county officer, district clerk, district attorney, and criminal district attorney, receiving fees of office for his services in each such county, shall, each fiscal year first, out of the fees of his office, pay the premium on whatever surety bond may be required by law, and also pay such necessary expenses, and such salaries of deputies, assistants, and employes as are approved by the county commissioners court, and shall retain, as his compensation, the sum of twenty-four hundred dollars (\$2,400) for each precinct officer, and three thousand dollars (\$3,000) for each other named officer, same to include any salary and all remunerations received from other sources; each such officer in each such county of the State shall then retain three-fourths out of the further fees received by him until same, together with said previously retained sums, shall amount to three thousand three hundred dollars (\$3,300) for each precinct officer, and four thousand dollars (\$4,000) for each other named officer, and the remaining one-fourth of said further fees shall be paid into the county treasury; each such officer in each such county shall then retain one-fourth of any additional fees received by him until such one-fourth, together with said previously retained sums, shall amount to the total sum of thirty-five hundred dollars (\$3,500) for each precinct officer, and four thousand five hundred dollars (\$4,500) for each

other named officer, and the remaining three-fourths of such fees, as well as all other fees collected by any such officer, shall be paid into the county treasury; provided, that no precinct officer in any such county shall receive a total of more than three thousand five hundred dollars (\$3,500), and no other officer named in any such county shall receive a total of more than four thousand five hundred dollars (\$4,500) as fees, compensation, and salary from all sources and for all services rendered during a fiscal year.

"Sec. 5. In counties in the State of Texas containing more than one hundred and twenty-five thousand (125,000) inhabitants, according to the last or any subsequent Federal Census, each precinct officer, county officer, district clerk, district attorney, and criminal district attorney, receiving fees of office for his services in any such county, shall, each fiscal year, first, out of the fees of his office, pay the premium on whatever surety bond may be required by law, and also pay such necessary expenses and such salaries of deputies, assistants, and employes as are approved by the county commissioners court, and shall retain, as his compensation, the sum of three thousand dollars (\$3,000) for each precinct officer, and thirty-six hundred dollars (\$3,600) for each other named officers, same to include any salary and all remunerations received from other sources; each such officer in each such county of the State shall then retain three-fourths of the further fees received by him until same, together with said sums previously retained, shall amount to the sum of thirty-six hundred dollars (\$3,600) for each precinct officer, and four thousand five hundred dollars (\$4,500) for each other named officer, and the remaining one-fourth of such further fees shall be paid into the county treasury; each such officer in each such county shall then retain from additional fees received by him one-fourth thereof until same, together with said sums previously retained, shall amount to four thousand dollars (\$4,000) for each precinct officer and five thousand dollars (\$5,000) for each other named officer, and the remaining three-fourths of such additional fees, as well as all other fees collected by any such officer, shall be paid into the county treasury; pro-

vided, that no precinct officer in any such county shall receive more than four thousand dollars (\$4,000), and no other officer named in each such county shall receive more than five thousand dollars (\$5,000) as fees, compensation, and salary from all sources and for all services rendered during a fiscal year; provided, however, that in all counties in the State having more than three hundred and fifty-nine thousand (359,000) inhabitants, according to the last or any subsequent Federal Census, any county and district officer named may continue to retain said one-fourth of fees collected by him until same, together with all previously retained sums, amount to a total of six thousand five hundred dollars (\$6,500), and pay the balance of such fees over to the county.

"Sec. 6. Where the expenses and salaries of deputies, assistants, and employes of any officer named herein are to be paid out of the fees of office of such officer, the number of such deputies, assistants, and employes for each such officer, and the expenses and salary of each, shall be fixed and determined by the commissioners court of the county, the appointment of such deputies, assistants, and employes to be made by the officer, same to be approved by the commissioners court. Each such officer shall make application the first week in January of each year to the commissioners court of the county for authority to make appointments and to pay salaries, said application containing the recommendations of such officer as to the number of such deputies, assistants, and employes as he desires to appoint and the expenses and salaries of each, and the county auditor or county judge, if there be no county auditor, shall file with the commissioners court of such county a written report on such application with his recommendation relative to the requests contained in said application, such application, report, and recommendations to be for the aid of the commissioners court in fixing the number of deputies, assistants, and employes and the expenses and salaries of each, which the commissioners court shall do without unnecessary delay. The commissioners court may, at any time by at least three affirmative votes, require any of said officers to reduce or increase the number and/or salaries of depu-

ties, assistants, and employes, or any of them, if, after hearing and upon recommendation of the county auditor, or of the county judge if there be no county auditor, such reduction or increase is deemed by the commissioners court to be proper and for the best interests of the county. Provided, however, that in counties having less than thirty thousand and one (30,001) inhabitants, according to the last or any subsequent Federal Census no salary shall be allowed any deputy, assistant, or employe of a precinct officer in excess of one thousand five hundred dollars (\$1,500) per year and no salary shall be allowed a deputy, or assistant, or employe of any other named officer in excess of one thousand eight hundred dollars (\$1,800) per year, where such salaries are to be paid out of fees of office; and in counties having more than thirty thousand (30,000) inhabitants and less than sixty thousand and one (60,001) inhabitants, according to the last or any subsequent Federal Census no salary shall be allowed any deputy, assistant, or employe of a precinct officer in excess of two thousand and one hundred dollars (\$2,100) per year and no salary shall be allowed a deputy, assistant, or employe of any of the other officers named in excess of two thousand four hundred dollars (\$2,400) per year when such salaries are to be paid out of fees of office; and in counties having more than sixty thousand (60,000) inhabitants, according to the last or any subsequent Federal Census, no salary shall be allowed any deputy, assistant, or employe of any precinct officer in excess of three thousand dollars (\$3,000) per year and no salary shall be allowed any deputy, assistant, or employe of any of the other officers named in excess of three thousand six hundred dollars (\$3,600) per year when such salaries are to be paid out of fees of office.

"Sec. 7. Where the expenses and salaries of deputies, assistants, and employes of any officer named in this Act are to be paid out of the county's funds, the commissioners court of any such county is given exclusive authority to determine the number of such deputies, assistants, and employes, and to fix the expenses and compensation of each, and to employ or discharge each for cause by at least three affirmative votes, except

the county auditor, provided, however, that the officer in whose office such deputies, assistants, and employes are to be employed may make application to the commissioners court for such help as he considers needed by him and is allowed by the law, together with recommendations as to the persons to be employed and the compensation to be paid them, and the county auditor or the county judge, if there be no county auditor, shall make a written report to the commissioners court relative to such application, containing his recommendations as to the number of employes needed and the compensation to be paid them; provided, however, that no such deputy, assistant, or employe shall be allowed a salary in excess of twenty-four hundred dollars (\$2,400) per year in a precinct office, and three thousand dollars (\$3,000) per year for the other named offices.

"Sec. 8. The compensation, limitations, and maximums herein fixed for each officer shall include and apply to all fees and compensation whatever collected by said officer and his deputies in his official capacity and incident to official services, whether accountable as fees of office under present law or not, and shall also include all compensation for certified or uncertified copies of any record or paper, and all fees or compensation for any certificates issued, any law, general or special, to the contrary notwithstanding, and particularly shall include all fees not allowed by law to any officer pertaining to delinquent taxes and tax certificates, but this enumeration shall not be construed so as to exclude any other fees from the operation of this Act.

"Sec. 9. All fees and compensation for notary work, or any other services of any such officer, or any of his deputies, assistants or employes, including certification of any record, or records of any county officer prepared by the officer, deputy, or deputies, or under his or their direction, printed or typed, and sold to any person, persons, or company, shall belong to the county, and when collected by any such officer, deputy, assistant, employe, or otherwise, shall be paid into the county treasury on the first of each month as fees of office, and a report of same made to the county auditor, or to the county judge, if there be no county auditor, and cov-

ered by such officer's monthly report to the commissioners court as herein provided for.

"Sec. 10. All fees collected during any year by any officer and his deputies, whether earned by him during said year, or part of year, or not, and whether earned by any previous officer, are hereby declared to be current fees of office. Said fees shall be collected by the officer in office, used and accounted for each year, separately, just as if they had been earned during the year, or part of a year, for which report and accounting is made. This provision shall in nowise affect any fees earned previous to the effective date of this law.

"Sec. 11. Each officer named in this Act shall report to the county commissioners court on or before the tenth day of each month, showing all fees, salary, and compensation of every kind received by such officer during the preceding month, and after the payment of approved expenses and approved salaries to deputies, assistants, and employes, and after retaining his pro rata part of the maximum compensation allowed him by this Act for the year to the end of the month covered by said report, shall pay the remainder into the county treasury.

"Sec. 12. If said monthly report shows the receipts of said officer for the prior month not to have been sufficient to pay all approved expenses and approved salaries of his deputies, assistants, and employes, and also to pay him the full pro rata part of his maximum compensation for said month as allowed by this Act, and no excess fees have been reported and paid over by said officer for the prior portion of said year in excess of the amount said officer has been paid, the commissioners court may allow compensation for ex officio services to any such officer, by a four-fifths ($\frac{4}{5}$) record vote each time, in an amount not to exceed such unpaid pro rata of the maximum allowed such officer for the fiscal year, or the fractional part of a fiscal year, including fees and other compensation received by the officer; provided, that if the amount remaining in the hands of such officer after the payment of approved expenses and approved salaries to deputies, assistants, and employes at the time of such monthly report is insufficient to con-

stitute a one-twelfth part of the maximum sum allowed such officer for the year, the commissioners court shall return to said officer sufficient funds to make one-twelfth of the maximum sum allowed for the year, if such officer has, prior to such time, paid into the county treasury a sufficient amount of excess fees to permit the county to make such return therefrom.

"Sec. 13. Should the fees of any office covered by this Act be insufficient to pay the compensation allowed herein to the officer thereof, and also to pay the expenses and salaries of such deputies, assistants, and employes of such officer as the commissioners court of the county may determine are necessary properly to perform the duties and carry on the affairs of such office, then the commissioners court of such county may provide for the payment of such expenses and salaries, or any portion thereof, out of the general fund of the county.

"Sec. 14. A fiscal year shall begin on January 1 of each year. An officer, serving a fractional part of a fiscal year, shall make his reports and settlements, and shall be entitled to such proportional part of the fees and compensation allowed as the time of his services bears to the entire year. The amount allowed the officer first, and the percentages allowed thereafter, shall control and be taken into consideration in making reports and settlements for the fractional part of a year.

"Sec. 15. The compensation fixed by this Act for the sheriff and constable shall be exclusive of any reward received for the apprehension of criminals, or fugitives from justice, and the compensation fixed by this Act for any officer authorized to perform marriage ceremonies shall be exclusive of any fees received by any such officer for performing such ceremonies. The maximum fees for the compensation of the district attorney and the criminal district attorney shall be inclusive of the salary allowed such attorney by the Constitution.

"Sec. 16. Each officer named herein shall make his annual report, duly sworn to, to the county commissioners court on or before the fifteenth day of January of each year covering the preceding year, and shall also make full and final settlement for

such preceding year with the county; provided, however, if, for any reason, such officer has paid into the county treasury funds by reason of which he has not been able to retain the maximum compensation allowed him by this Act, the county shall return to said officer sufficient funds to adjust the compensation allowance to such officer as herein provided for, not to exceed, however, the amount paid into the county treasury during such year.

"Sec. 17. On or before the fifteenth day of January of each year each such officer shall file a copy of his annual report to the commissioners court for the preceding year, duly sworn to, with the State Comptroller, and shall also file a like copy with the county auditor, or with the county judge if there be no county auditor; and each tax collector or tax assessor, or assessor and collector, at the time of his settlement with the State Comptroller, shall file with him a copy of said sworn report.

"Sec. 18. The county commissioners court shall determine the amount of excess fees paid to the county by the officer, out of fees of office received from the State of Texas, and on the approval by the State Comptroller, shall determine the pro rata excess fees so received and pay same back to the State of Texas.

"Sec. 19. In contemplation of the enactment of legislation combining the offices of tax collector and tax assessor, in accordance with an amendment to the Constitution of this State to that effect, it is provided that, if and when such offices shall be combined, the combined offices shall be considered as one office, and the maximum fees and compensation, as specified herein, shall apply to the combined office. Should any two or more of the offices covered by this Act be hereafter consolidated, the combined offices shall be considered as one office, and the maximum fees and compensation as specified herein shall apply to the combined office.

"Sec. 20. All laws and parts of laws, general and special, in conflict herewith are hereby repealed, and Articles 3883, 3883-a, 3883-b, 3884, 3886, 3888, 3888-a, 3889, 3890, 3891, 3892, 3894, 3895, 3897, 3898, 3899, 3899-a, 3899-b, 3899-c, 3901, 3902, 3902-a, 3902-b, 3902-c, 3902-d, 3902-e, 3902-f, 3903, 3910, and 3912 of Title 61, Chap-

ter 1, of the Revised Civil Statutes of 1925, and amendments thereto, are hereby expressly repealed. Article 3887, Revised Civil Statutes of 1925, as amended, is hereby expressly repealed except that portion of the same which provides for collection of fees by the county attorney for the prosecution of criminal cases in corporation courts.

"Sec. 21. If any part of this Act shall be held to be unconstitutional or invalid, or if any sentence or section shall be held to be unconstitutional or invalid, it is expressly declared by the Legislature that the remaining parts shall not in any manner be affected thereby, but the remaining portion of said Act, and of each sentence or section, shall be held to remain in full force and effect; and it is now declared by the Legislature that notwithstanding the invalidity, if any, of any part of section of this Act, the Legislature would have enacted the remaining portions, regardless of the invalidity of any sentence or section or any portion thereof.

"Sec. 22. The fact that large and excessive sums of money are being allowed officers in many counties, and the county commissioners court have limited authority as to employees and their pay, and that large and unnecessary sums have to be placed in the county budget; the further fact that large sums of money appropriated by the State of Texas, are being paid to some officers, and, under the laws of the State of Texas, the excess fees are paid to the county, thereby necessitating unusual and large county budgets and State appropriations, and diverting State funds to the county, thereby causing extreme need for immediate tax relief, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted."

Mr. Savage offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209 by adding, on page 31, at the end of Section 12, the following: "Provided, however,

that no ex officio shall be allowed any officer in counties having more than one hundred and fifty thousand (150,000) inhabitants."

SAVAGE,
COOMBES.

The amendment was adopted.

Mr. Savage offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, as follows:

Page 26, lines 39 and 40, strike out "thirty-six hundred dollars (\$3,600)" and insert in lieu thereof "four thousand dollars (\$4,000)."

Page 27, line 2, strike out after the word "sources" down to and including the word "Treasury," in line 9.

Page 27, lines 12 and 18, change four thousand dollars (\$4,000)" to "four thousand five hundred dollars (\$4,500)."

Page 27, lines 13 and 20, change "five thousand dollars (\$5,000)" to "six thousand five hundred dollars (\$6,500)."

SAVAGE,
COOMBES.

The amendment was adopted.

Mr. Savage offered the following amendments to the committee amendment:

(1)

Amend committee amendment No. 15 to Senate Bill No. 209, on page 27, by inserting, between lines 24 and 25, the following: "and containing an area of more than fifteen hundred (1,500) square miles."

(2)

Amend committee amendment No. 15 to Senate Bill No. 209, on page 28, line 26, by inserting between the figures "(\$1,800)" and the word "per" the word "dollars."

(3)

Amend committee amendment No. 15 to Senate Bill No. 209, on page 29, line 4, by adding after the word "office" the following: "Provided, however, the first or chief deputy in the offices of the district attorney, sheriff, tax collector, and tax collector or assessor, when and if consolidated, may be allowed a salary of

not to exceed four thousand dollars (\$4,000), and such salary is to be paid out of the fees of office."

(4)

Amend committee amendment No. 15 to Senate Bill No. 209, on page 29, line 26, by adding after the word "offices" the following: "provided, however, a deputy district attorney, to serve under the criminal district attorney or district attorney, to handle civil matters for the county, may be allowed a salary not to exceed the sum of four thousand dollars (\$4,000)."

The amendments were severally adopted.

Mr. Savage offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, on page 30, by inserting, between lines 28 and 29, the following: "and after retaining an additional sum of not to exceed two thousand dollars (\$2,000), as a reserve expense and salary account,"

The amendment was adopted.

Mr. Savage offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, page 31, by inserting, in line 6, between the word "report" and the word "is," the following: "and said sum of not to exceed two thousand dollars (\$2,000), as allowed in Section 11 hereof, as a reserve expense and salary fund,"

The amendment was adopted.

Mr. Alsup offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, page 23, line 4, by inserting, after the word "census," the following: "except such counties as has a tax valuation exceeding fifty million dollars (\$50,000,000), according to the last approved tax roll."

The amendment was adopted.

Mr. Coombes offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, page 31, line 20, by adding the words "of said

deputies, assistants, and employes," between the word "salaries" and the comma, in said line.

The amendment was adopted.

Mr. Coombes offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, line 35, page 31, by adding thereto the following: "and the compensation fixed by this Act for justices of the peace shall be exclusive of coroner's fees."

The amendment was adopted.

Mrs. Hughes offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209 by adding, at the end of Section 6, the following: "Provided, however, the provisions of this Section shall not apply in counties of the State in which the population, according to the last preceding Federal Census, exceeds 300,000 inhabitants, and does not exceed 355,000 inhabitants, in which said counties the provisions of House Bill No. 7, Forty-third Legislature, Regular Session, shall apply."

The amendment was lost.

Mrs. Hughes offered the following amendment to the committee amendment:

Amend Senate Bill No. 209, committee substitute, Section 7, by adding at the end thereof the following: "Provided, however, the provisions of this Section shall not apply in counties of the State in which the population, according to the last preceding Federal Census, exceeds 300,000 inhabitants, and does not exceed 355,000 inhabitants, in which said counties the provisions of House Bill No. 7, Forty-third Legislature, Regular Session, shall apply."

The amendment was lost.

Mr. Moore offered the following amendment to the committee amendment:

Amend committee amendment No. 15 by striking out the word "amend" in line 40.

Mr. Anderson of Bexar moved to table the amendment by Mr. Moore.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—95

Adamson.	Jones of Shelby.
Aikin.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Bexar.	Leonard.
Anderson	Lindsey.
of Johnson.	Long.
Baker.	Lotief.
Barrett.	Mackay.
Beck.	Magee.
Bedford.	McDougald.
Bradley.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Cathey.	Morrison.
Caven.	Munson.
Celaya.	Nicholson.
Chastain.	Palmer.
Clayton.	Pavlica.
Coombes.	Puryear.
Cowley.	Ratliff.
Crossley.	Ray.
Dean.	Reader.
Devall.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Engelhard.	Riddle.
Fain.	Rogers of Hunt.
Few.	Ross.
Fisher.	Russell.
Glass.	Savage.
Golson.	Scott.
Goodman.	Shults.
Griffith.	Smith.
Haag.	Stanfield.
Hankamer.	Steward.
Harris.	Stinson.
Head.	Stovall.
Hill of Brazoria.	Sullivant.
Hodges.	Thomas.
Holekamp.	Townsend.
Holland.	Turlington.
Holloway.	Van Zandt.
Huddleston.	Vaughan.
Hunt.	Wagstaff.
Hyder.	Walker.
Jackson.	Weinert.
Jones of Atascosa.	Young.
Jones of Runnels.	

Nays—14

Bourne.	Kyle of Hays.
Burns.	Moore.
Daniel.	Morse.
Graves.	Patterson.
Greathouse.	Renfro.
Hughes.	Roberts.
Jefferson.	Tarwater.

Absent

Alexander.	Davidson.
Barron.	Dunlap.
Butler.	Duvall.
Colson.	Ford.

Fuchs.	McCullough.
Good.	McGregor.
Harman.	McKee.
Harrison.	Parkhouse.
Hartzog.	Pope.
Hester.	Ramsey.
Hicks.	Rogers
Hill of Webb.	of Ochiltree.
Hoskins.	Rollins.
James.	Scarborough.
Johnson	Shannon.
of Anderson.	Tennyson.
Kayton.	Tillery.
Lemens.	Winningham.
Mathis.	Wood.
McClain.	

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

Mr. Stanfield offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, page 25, Section 3, line 21, by striking out the figures "\$4,000," and adding the figures "\$4,500"; and page 25, line 28, by striking out the figures "\$4,000," and adding the figures "\$4,500."

The amendment was lost.

Mr. Griffith offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, Section 4, page 5, by adding, at the end of line 27, the following: "; provided, however, that a sheriff of such county may receive such maximum compensation of not exceeding "\$5,500."

The amendment was lost.

Mr. Anderson of Bexar moved the previous question on the pending committee amendment, and the amendments on the Speaker's desk, and the main question was ordered.

Mr. Townsend and Mr. Haag offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209 as amended by adding a new Section, after Section 2, to be known as Section 2-a, and to read as follows:

"Section 2-a. In counties containing two thousand (2,000) square miles, or more, and containing less than twenty thousand (20,000) inhabitants, according to the last Federal Census, and/or containing one

or more oil fields, all county officers receiving fees of office for his services in every such county in the State of Texas, shall, each fiscal year, first, out of the fees of his office, retain, after payment of the premium on whatever surety bond may be required by law, and after the payment of necessary expenses, deputies, and assistants, as are approved by the county commissioners court, the sum of two thousand seven hundred dollars (\$2,700), the same to include all remunerations and any ex officio salary, if any, or salary received from other sources, each officer in each such county of the State shall then retain one-half ($\frac{1}{2}$) out of the further fees received until he receives, including the said sum of two thousand seven hundred dollars (\$2,700), the total sum of four thousand dollars (\$4,000); provided, no officer shall receive more than four thousand dollars (\$4,000) as fees, compensation, and salary from all sources and for all services rendered during a fiscal year."

The amendment was adopted.

Mr. Steward offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 209, page 23, by striking out all after the word "than," in line 3, and all of lines 4 to 39, both inclusive, and renumber the remaining sections accordingly.

STEWARD,
ROSS.

The amendment was lost.

Mrs. Hughes offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209 by inserting a new paragraph at the end of Section 5, to read as follows:

"Section 5-a. The criminal district attorney or county attorney of any county with a population exceeding one hundred and fifty thousand (150,000), according to the last preceding Federal Census, shall have the right to appoint, in addition to those now provided by law, not more than one assistant district attorney at a salary not to exceed \$300 per month, to be known as the 'arson attorney,' whose duties shall be to assist in the investigation and prosecution of arson cases, together with such other duties that

may be assigned to him by the district or county attorney, or the criminal district attorney, such salary to be paid out of the general fund of the county by warrant drawn thereon."

HUGHES,
DUVALL,
ALEXANDER.

The amendment was adopted.

Question—Shall the committee amendment be adopted?

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 845

Mr. Moffett submitted the following conference committee report on House Bill No. 845:

Committee Room,
Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses in respect to House Bill No. 845, have duly adjusted the differences between the two Houses, and beg to report it back to the respective Houses with the recommendation that the attached bill be adopted in lieu of the bill as finally passed:

"H. B. No. 845,

A BILL

To Be Entitled

An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasia, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; providing that repairs to such properties shall be a first lien; providing that

the tolls, fees, and other charges made for the use thereof shall be at a rate sufficient to pay the current interest and provide the necessary sinking fund therefor; providing the form of contract, bonds, or notes, and for the examination of bonds by the Attorney General, and registration of same by the Comptroller; providing that no contract, bond, or note, or other evidence of indebtedness authorized herein, shall be issued under this Act after one year from the effective date of this Act; providing that no land, upon which is situated school improvements, shall be subject to the indebtedness created hereunder, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. All independent school districts, including independent school districts which are now, or may hereafter be, controlled by any city or town within this State, shall have power to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to mortgage and encumber the same, and the income, tolls, fees, rents, and other charges thereof, and everything pertaining thereto, acquired, or to be acquired, and to evidence the obligation therefor by the issuance of bonds, notes, or warrants to secure the payment of funds to purchase same, including the purchase of equipment and appliances for use therein, and as additional security therefor by the terms of such encumbrance, may grant to the purchaser, under sale or foreclosure thereof, a franchise to operate said properties so purchased for a term of not more than ten (10) years after such purchase. No such obligation shall ever be a debt of any such school district and/or incorporated city or town, but solely a charge upon the property so encumbered, and shall never be reckoned in determining the power of any such school district to issue bonds for any other purpose authorized by law; providing that no election for the issuance of the evidence of indebtedness herein authorized shall be necessary, but may be authorized by a majority vote of the board of trustees of such school district.

Sec. 2. Projects financed in accordance with this law are hereby declared to be self-liquidating in character and supported by charges other than taxation.

Sec. 3. Whenever the income of any such property shall be encumbered under this law the expense for any repairs necessary to preserve such property shall always be a first lien and charge against such encumbrance. The tolls, fees, rents, and other charges made, and to be made, for the use and in connection with such properties, shall be at a rate sufficient to pay the necessary repairs to such building, and all interest and sinking funds required to pay any evidence of indebtedness issued to purchase or construct such properties. No part of the income of such property shall ever be used to pay any other debt, expense, or obligation of such school district until the indebtedness so secured shall have been finally paid.

Sec. 4. Every contract, bond, or note, or other evidence of indebtedness, issued or executed under this law, shall contain the following clause:

"The holder hereof shall never have the right to demand payment of this obligation out of any funds raised, or to be raised, by taxation."

When bonds are executed hereunder they may be presented to the Attorney General for his approval, as is provided for the approval of other school bonds, and in such case the bond shall be registered by the State Comptroller, as in the case of other school bonds.

Sec. 5. No contract, bond, or note, or other evidence of indebtedness, authorized to be issued or executed under this Act, shall be issued or executed after the expiration of one year from the effective date of this Act.

Sec. 6. No land upon which is situated any of the school improvements, other than as described herein, shall ever be subject to the payment of any indebtedness created hereunder, nor shall any encumbrance ever be executed thereon.

Sec. 7. The fact that many school districts are in need of the facilities hereunder described, and that the taxing power of such school districts is limited, and will not permit the levying of a tax to purchase same, create

an emergency and an imperative public necessity demanding the suspension of the constitutional rule, requiring bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

ONEAL,
POAGE,
WOODWARD,
DUGGAN,

On the part of the Senate;

MOFFETT,
ALEXANDER,
HARRIS,
RATLIFF,
TENNYSON,

On the part of the House.

On motion of Mr. Moffett, the report was adopted by the following vote:

Yeas—118

Adamson.	Goodman.
Aikin.	Graves.
Alexander.	Greathouse.
Alsup.	Griffith.
Anderson	Haag.
of Bexar.	Hankamer.
Anderson	Harris.
of Johnson.	Hartzog.
Baker.	Head.
Barrett.	Hester.
Barron.	Hill of Brazoria.
Bedford.	Holekamp.
Bourne.	Holloway.
Bradley.	Hoskins.
Burns.	Huddleston.
Calvert.	Hughes.
Camp.	Hunt.
Canon.	Jackson.
Caven.	Jefferson.
Chastain.	Jones of Atascosa.
Clayton.	Jones of Runnels.
Colson.	Jones of Shelby.
Coombes.	Kayton.
Cowley.	Kyle of Palo Pinto.
Crossley.	Laird.
Daniel.	Latham.
Davidson.	Lindsey.
Dean.	Lotief.
Devall.	Mackay.
Dunlap.	Magee.
Duvall.	McClain.
Dwyer.	McCullough.
Fain.	McDougald.
Few.	McKee.
Fisher.	Merritt.
Ford.	Metcalf.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Moore.

Morrison.	Shannon.
Morse.	Shults.
Munson.	Smith.
Nicholson.	Stanfield.
Patterson.	Steward.
Pavlica.	Stinson.
Puryear.	Stovall.
Ratliff.	Sullivan.
Ray.	Tarwater.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Thomas.
Renfro.	Tillery.
Riddle.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Van Zandt.
Rogers	Vaughan.
of Ochiltree.	Wagstaff.
Ross.	Walker.
Russell.	Weinert.
Savage.	Winningham.
Scarborough.	Young.
Scott.	

Absent

Beck.	Johnson
Butler.	of Anderson.
Cathey.	Kyle of Hays.
Celaya.	Lemens.
Engelhard.	Leonard.
Good.	Long.
Harman.	Mathis.
Harrison.	McGregor.
Hicks.	Palmer.
Hill of Webb.	Parkhouse.
Hodges.	Pope.
Holland.	Ramsey.
Hyder.	Reader.
James.	Rollins.
	Wood.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 19 by the following vote: Yeas, 27; nays, 0.

The Senate has adopted conference committee report on House Bill No. 28 by the following vote: Yeas, 18; nays, 7.

The Senate has adopted conference committee report on House Bill No. 845 by the following vote: Yeas, 22; nays, 3.

The Senate has concurred in House amendments to Senate Bill No. 483

by the following vote: Yeas, 27; nays, 0.

Respectfully,
BOB BARKER,
Secretary of the Senate.

RELATIVE TO HOUSE BILL NO. 242

Mr. Long asked unanimous consent of the House to amend the caption to House Bill No. 242.

There was no objection offered, and it was so ordered.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, May 3, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 799, A bill to be entitled "An Act to amend Article 1601, Chapter 5, Title 33, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, Regular Session, page 264, Chapter 185, so as to require all indebtedness against a courthouse, or courthouses, shall be paid in full before the county seat of any county can be moved from its present location; repealing all laws or parts of laws in conflict herewith; declaring a rule of construction; and declaring an emergency." (With amendments.)

H. B. No. 827, A bill to be entitled "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five-year closed season on wild fox in certain counties; providing a penalty for violation of this Act, and declaring an emergency."

H. B. No. 11, A bill to be entitled "An Act authorizing the payment to the head of any department of the State Government of occupation, gross receipts, franchise, license, or other privilege taxes or fees under protest upon the supposed ground of invalidity of the tax or lack of power to collect the same, etc.; and declaring an emergency." (With amendment.)

The Senate has adopted

H. C. R. No. 38, Granting the Interstate Contracting Company permission to sue the State.

Respectfully,
BOB BARKER,
Secretary of the Senate.

Mr. Morse moved that the House stand at ease until 9:30 o'clock a. m., tomorrow.

Mr. Fain moved that the House stand at ease until 8 o'clock p. m., today.

The motion of Mr. Fain was lost by the following vote:

Yeas—53

Adamson.	Kyle of Palo Pinto.
Aikin.	Lotief.
Alexander.	Magee.
Alsup.	Merritt.
Anderson	Mitcham.
of Bexar.	Munson.
Barron.	Pavlica.
Bourne.	Puryear.
Burns.	Ratliff.
Calvert.	Reed of Bowie.
Cowley.	Renfro.
Crossley.	Riddle.
Dean.	Roberts.
Devall.	Rollins.
Fain.	Ross.
Fuchs.	Savage.
Glass.	Scott.
Goodman.	Steward.
Greathouse.	Stovall.
Hartzog.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hoskins.	Townsend.
Huddleston.	Van Zandt.
Jones of Atascosa.	Wagstaff.
Kyle of Hays.	Winningham.

Nays—61

Anderson	Holloway.
of Johnson.	Hughes.
Baker.	Hunt.
Barrett.	Hyder.
Beck.	Jackson.
Bedford.	Jefferson.
Bradley.	Jones of Runnels.
Camp.	Laird.
Canon.	Latham.
Celaya.	Leonard.
Chastain.	Lindsey.
Clayton.	Mathis.
Colson.	McClain.
Daniel.	McCullough.
Davidson.	McDougald.
Dunlap.	Metcalfe.
Dwyer.	Moffett.
Engelhard.	Moore.
Fisher.	Morrison.
Ford.	Morse.
Griffith.	Palmer.
Hankamer.	Patterson.
Harris.	Pope.
Head.	Reed of Dallas.
Hester.	Russell.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Shults.

Smith.	Turlington.
Stanfield.	Vaughan.
Stinson.	Walker.
Tillery.	Wood.

Present—Not Voting

Graves.

Absent

Butler.	Lemens.
Cathey.	Long.
Caven.	Mackay.
Coombes.	McGregor.
Duvall.	McKee.
Few.	Nicholson.
Golson.	Parkhouse.
Good.	Ramsey.
Haag.	Ray.
Harman.	Reader.
Harrison.	Rogers of Hunt.
Hicks.	Roger
James.	of Ochiltree.
Johnson	Shannon.
of Anderson.	Weinert.
Jones of Shelby.	Young.
Kayton.	

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

Question then recurring on the motion by Mr. Morse, it prevailed by the following vote:

Yeas—76

Adamson.	Harris.
Alexander.	Head.
Anderson	Hester.
of Bexar.	Hill of Brazoria.
Anderson	Hill of Webb.
of Johnson.	Hodges.
Barrett.	Holland.
Barron.	Holloway.
Beck.	Hughes.
Bedford.	Hyder.
Bradley.	Jackson.
Camp.	Jefferson.
Caven.	Jones of Runnels.
Celaya.	Kyle of Palo Pinto.
Chastain.	Laird.
Clayton.	Latham.
Colson.	Leonard.
Crossley.	Lindsey.
Dunlap.	Mackay.
Duvall.	McClain.
Dwyer.	McCullough.
Engelhard.	McDougald.
Few.	Merritt.
Fisher.	Metcalfe.
Ford.	Moffett.
Fuchs.	Moore.
Golson.	Morrison.
Goodman.	Morse.
Graves.	Munson.
Griffith.	Palmer.
Hankamer.	Patterson.

Pavlica.	Scarborough.
Pope.	Stanfield.
Reed of Bowie.	Stinson.
Reed of Dallas.	Turlington.
Renfro.	Vaughan.
Riddle.	Walker.
Roberts.	Wood.
Russell.	Young.

Nays—38

Aikin.	Magee.
Alsup.	Mitcham.
Baker.	Puryear.
Bourne.	Ratliff.
Burns.	Rollins.
Calvert.	Ross.
Canon.	Savage.
Cowley.	Scott.
Dean.	Shults.
Devall.	Steward.
Fain.	Stovall.
Glass.	Sullivan.
Greathouse.	Tarwater.
Holekamp.	Tennyson.
Huddleston.	Thomas.
Hunt.	Townsend.
Jones of Atascosa.	Van Zandt.
Kyle of Hays.	Wagstaff.
Lotief.	Winningham.

Absent

Butler.	Lemens.
Cathey.	Long.
Coombes.	Mathis.
Daniel.	McGregor.
Davidson.	McKee.
Good.	Nicholson.
Haag.	Parkhouse.
Harman.	Ramsey.
Harrison.	Ray.
Hartzog.	Reader.
Hicks.	Rogers of Hunt.
Hoskins.	Rogers
James.	of Ochiltree.
Johnson	Shannon.
of Anderson.	Smith.
Jones of Shelby.	Tillery.
Kayton.	Weinert.

Absent—Excused

Dunagan.	Wells.
Johnson of Dimmit.	

The House, accordingly, at 5:20 o'clock p. m., agreed to stand at ease until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Counties: House Bills Nos. 915, 916, 917, and 918.

Agriculture: Senate Bill No. 295.

State Affairs: House Concurrent Resolutions Nos. 70, 75, 76, and 77.

Revenue and Taxation: House Bill No. 379.

Judiciary: Senate Bills Nos. 55 and 274.

Appropriations: Senate Bills Nos. 247 and 289.

Privileges, Suffrage, and Elections: Senate Bill No. 395.

The Committee on Judiciary filed an adverse report on Senate Bill No. 32.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, May 2, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 36, Proposing amendments to Section 4, of Article III; Sections 2, 4, 5, 21, 22, and 23, of Article IV; Sections 9, 15, 20, 21, and 23, of Article V; Section 14, of Article VIII; Section 16, of Article VIII; and Section 44, of Article XVI; fixing the terms of office of the constitutional officers at four (4) years, and providing for salary and the manner of election,

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

FIFTY-NINTH DAY

(Continued)

(Thursday, May 4, 1933)

The House reconvened at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

SENATE BILL NO. 209 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 209, A bill to be entitled "An Act amending Article 3883, of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-second Legislature, Chapter 340; fixing the maximum annual fees of office authorized to be retained by certain district, county, and precinct

officers named herein; repealing all laws or parts of laws in conflict herewith, and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Savage, pending.

Mr. Jefferson offered the following amendment to the committee amendment:

Amend committee substitute to Senate Bill No. 209, by striking out Section 11.

JEFFERSON,
HUGHES,
McDOUGALD,
PURYEAR.

The amendment was lost.

Mr. Lindsey offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, page 30, line 39, by striking out the words "by a four-fifths ($\frac{4}{5}$) record vote each time," and insert the words "by a majority record vote each time."

The amendment was lost.

Mr. Alsop offered the following amendment to the committee amendment:

Amend committee amendment No. 15 to Senate Bill No. 209, page 24, line 1, by inserting after the word "census" the following: "also in counties having less than twenty-five thousand and one (25,001) inhabitants, according to the last or any subsequent Federal Census, and whose population has greatly increased during the oil developments, and has a tax valuation exceeding fifty million dollars (\$50,000,000), according to the last approved tax roll."

Mr. Latham offered the following substitute for the amendment by Mr. Alsop:

Substitute for amendment to committee amendment No. 15 to Senate Bill No. 209, by inserting in line 34, page 25, after the word "census," the following: "and in all counties having more than ten thousand (10,000) inhabitants and less than fifty thousand (50,000) inhabitants, according to the last preceding Federal Census, which have had a great increase in population due to oil development, and have a tax valuation in excess of fifty million dollars (\$50,000,000), according to the last tax roll."

LATHAM,
HOLLOWAY,
TURLINGTON.